

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SEAN EDWARD McCLAIN-DOUGLAS,

Case No.: 2:21-cv-01576-CDS-BNW

Plaintiff,

**Order Adopting Report and
Recommendation**

v.

[ECF No. 8]

AUTOVEST LLC, *et al*,

Defendants.

Before the Court is the Report and Recommendation (R&R) of United States Magistrate Judge Brenda Weksler entered on April 20, 2022. ECF No. 8.

The R&R recommends that the Court dismiss Plaintiff's complaint for failing to file an amended complaint curing the issues set forth in Magistrate Judge Weksler's Screening Order. *See* Screening Order, ECF No. 6. The Plaintiff was given the option of filing an amended complaint on or before April 15, 2022 and was advised that if he did not do so, this case would be dismissed. *Id.* at 4. Plaintiff failed to file an amended complaint by the deadline. As a result, the R&R was issued recommending dismissal. ECF No. 7. The deadline for any party to object to that recommendation was May 4, 2022.

Plaintiff did not file an objection, nor did the plaintiff ask the Court to extend the deadline to do so. "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."¹ I nevertheless conducted a de novo review of the issues set forth in the report and recommendation. 28 U.S.C. § 636(b)(1). Judge Weksler sets forth the proper legal

¹ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 analysis and factual basis in the R&R, and the screening order that is the underlying basis for
2 the R&R.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
4 Recommendation [ECF No. 8] is ADOPTED in its entirety.

5 IT IS FURTHER ORDERED that the Plaintiff's Complaint is STRICKEN and the case is
6 DISMISSED WITH PREJUDICE.

7 The Clerk of Court is directed to close the case.

8 DATED this 6th day of May, 2022.

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11 U.S. District Judge Cristina D. Silva
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